

Chamber's
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE CITY OF STERLING HEIGHTS
POLICE AND FIRE RETIREMENT
SYSTEM, Individually and On Behalf of
Others Similarly Situated,

Plaintiff,

v.

ABBEY NATIONAL, PLC and IAN
HARLEY,

Defendants.

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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/31/09

CIVIL ACTION NO.

CV-05-2141(DC)

~~PROPOSED~~ ORDER AUTHORIZING
DISBURSEMENT OF THE NET SETTLEMENT FUND

NOW, THEREFORE, the Court having considered the motion for an order authorizing disbursement of the Net Settlement Fund,

IT IS HEREBY ORDERED THAT:

1. The eleven claims that the Claims Administrator has determined were submitted after the April 19, 2007, deadline for filing claims, but are otherwise valid and in compliance with the requirements for submitting valid proofs of claim, as set forth in Exhibit B to the Zuena Affidavit, are approved for payment from the Net Settlement Fund.

2. All claims that the Claims Administrator has determined are not acceptable for payment, as set forth in Exhibit B to the Zuena Affidavit, are disallowed and shall not be paid.

3. The balance of the Net Settlement Fund (less any necessary amounts to be withheld for payment of potential tax liabilities and related fees and expenses) shall be distributed on a pro rata basis to the Authorized Claimants identified in Exhibit B to the Zuena Affidavit, at the direction of Lead Counsel, Glancy Binkow & Goldberg LLP, pursuant to the Stipulation of Settlement and Plan of Allocation set forth in the Notice of Pendency and Proposed Settlement of Class Action that was distributed pursuant to this Court's prior Order;

4. Lead Counsel is directed to make reasonable attempts to locate Authorized Claimants whose checks are returned as undeliverable. Any funds remaining in the Settlement Fund six (6) months after the initial distribution date shall be reallocated among Authorized Claimants in an equitable and economic fashion. Thereafter, any balance that still remains in the Net Settlement Fund shall be donated to an appropriate non-profit organization agreed upon by

Lead Counsel. All hard copy claim forms and documentation reviewed during the claims administration process shall be retained by the Claims Administrator for one year, and magnetic

and approved
by the Court.

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media for three years, from the date of entry of this Order. After that date, those records may be destroyed.

5. Any person asserting any rejected or subsequently filed claims are finally and forever barred from the date of this Order.

IT IS SO ORDERED.

Dated: 8/31, 2009


HONORABLE DENNY CHIN
UNITED STATES DISTRICT JUDGE